

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

I Atty

Atty

Taylor Lynn and Byron Michael Cheek (GUARD/P)Case No. 08CEPR00940

Ruiz, Richard A. (for Tania Cheek – mother/Petitioner)

Mathes, Karen L. (for Terry & Linda Cheek – paternal grandparents/guardians)
Order to Appear

Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters **Duties/Supp Objections** Video Receipt **CI Report** 9202 Order Aff. Posting Status Rpt **UCCJEA** Citation **FTB Notice**

TERRY CHEEK and **LINDA CHEEK**, paternal grandparents, were appointed as guardians on 12-1-08.

TANIA CHEEK, mother, filed a petition for termination of the guardianship, which was denied on 7-24-13.

On 7-24-13, the Court referred the case to CPS to check on who is living in the home with the child and its safety. DSS Social Worker Keith Hodge was present in Court. Mr. Hodge was asked to submit a report to the Court and to the other parties. The Court ordered a marginal increase in visitation between the mother and the children and set a status hearing for 2-11-14.

On 2-11-14, the matter was set for trial on 3-24-14; however, on 3-11-14, Karen Mathis, attorney for Guardians, filed a Statement of Disqualification of Judge Robert Oliver. The trial date was vacated pending resolution of the motion for disqualification. On 4-1-14, Madera Superior Court Judge Charles A. Wieland denied the challenge/disqualification. Judge Oliver thereafter filed an Answer and set a status hearing for 4-24-14 re: visitation for 4-24-14.

On 4-23-14, Attorneys Mathes and Ruiz filed a joint status statement requesting to vacate the status hearing and proceed pursuant to the Court's order of 3-18-14; however, the document was not filed timely and further was not filed as an ex parte request for order; therefore appearance was required at the hearing on 4-24-14.

On 4-24-14, there were no appearances. The Court set this hearing as a courtesy to counsel to choose a hearing date for evidentiary hearing to accommodate all parties' calendars. The Order to Appear was mailed to the attorneys on 4-25-14.

NEEDS/PROBLEMS/COMMENTS:

Examiner's Notes:

- The Order of 3-18-14 that is referenced in the joint status report vacated the trial date pending resolution of the disqualification motion and relieved the parties from filing trial briefs, witness lists, and any other documents relating to the "hearing" (trial).
- Visitation orders are set forth in Minute Orders 1-31-13, 7-24-13, and 2-11-13.
- The attorneys were sent notice of this hearing on 4-25-14; however, as of 5-30-14, no status report has been filed pursuant to Local Rule 7.5 regarding either resetting the trial date or regarding the current visitation status.

Reviewed by: skc
Reviewed on: 5-30-14
Updates:
Recommendation:

File 1A - Cheek

Krbechek, Randolf (for Administrator Frank Scott Hine)

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 7/29/2010	FRANK SCOTT HINE was appointed	NEEDS/PROBLEMS/COMMENTS:
	Administrator with Full IAEA and bond set at	
	\$118,260.00 on 1/5/2011.	1. Need First Account, Petition
		for Final Distribution or
Cont. from 062113,	Minute order dated 6/15/2012 states the	current written status report
080213, 091313,	court orders bond set at \$45,000.00 and	pursuant to Local Rule 7.5
111513, 31714,	Limited IAEA authority.	which states in all matters set
040214, 042214	Pand of \$45,000,00 filed on \$/10/10	for status hearing verified
Aff.Sub.Wit.	Bond of \$45,000.00 filed on 8/10/12.	status reports must be filed no later than 10 days before
Verified	Letters issued 10/24/12.	the hearing. Status Reports
Inventory		must comply with the
PTC	Inventory and Appraisal filed on 6/6/2012	applicable code
Not.Cred.	showing the estate valued at \$134,550.00	requirements. Notice of the status hearing, together with
Notice of	Creditor's Claims filed:	a copy of the Status Report
Hrg		shall be served on all
Aff.Mail	CitiBank - \$12,563.66	necessary parties.
Aff.Pub.	DCM Services - \$ 260.80	
Sp.Ntc.	Frank Hine - \$ 4,743.41	
Pers.Serv.	Donna Langley - \$17,625.99	
Conf.	Wesley Langley - \$ 1,397.38	
Screen	FTB - \$ 2,660.09 FTB - \$ 4,337.54	
Letters	Total \$43,689.17	
Duties/Supp	10101 \$40,007.17	
Objections	Former Status Report filed 9/9/13 states Mr.	
Video	Krbechek met with Mr. Hine since the last	
Receipt	status conference. Mr. Hine will be present in	
CI Report	court on 9/13/13 to provide updated information regarding the status of the	
9202	estate. The beneficiary of the estate is the	
Order	decedent's minor daughter, Noelle Hine. Ms.	
Aff. Posting	Hine will turn 18 before the end of this year.	Reviewed by: KT
Status Rpt	Mr. Hine has been making all the monthly	Reviewed on: 5/30/14
UCCJEA	payments on the house and the loan is	Updates:
Citation	current. Ms. Hine's future is uncertain and she is not ready to own a house. Thus, it is in	Recommendation:
FTB Notice	the best interest of the estate that the house	File 3A - Hine
	be sold. The personal representative will	
	provide an update regarding the status of	
	the property listing at the next hearing.	
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3A Shannon Lee Hine (Estate)

Case No. 10CEPR00981

<u>Former</u> Status Report of Randolf Krbechek filed on 11/14/13 states he has met with Mr. Hine several times since the last hearing. Mr. Hine reports that he has completed most of the tasks to close the estate. The home is listed for sale and is in good, saleable condition. It is anticipated that they will be receiving offers in the foreseeable future. Sale of the real property must be confirmed by the court.

Order Confirming Sale of Real Property was signed on 4/22/14.

Krbechek, Randolf (for Administrator Frank Scott Hine) Probate Status Hearing Re: Filing Blocked Account Receipt Atty

Trobate states freating ke. Tilling blocked Accoont kecelpt				
DOD: 7/29/2010	FRANK SCOTT HINE was appointed	NEEDS/PROBLEMS/COMMENTS:		
	Administrator with Full IAEA and bond			
	set at \$118,260.00 on 1/5/2011.	2. Need Receipt for Blocked		
	1	Account or current written status		
0 17	Minute order dated 6/15/2012 states	report pursuant to Local Rule 7.5		
Cont. from	the court orders bond set at \$45,000.00	which states in all matters set for		
Aff.Sub.Wit.	and Limited IAEA authority.	status hearing verified status		
Verified	D (reports must be filed no later than		
Inventory	Bond of \$45,000.00 filed on 8/10/12.	10 days before the hearing. Status Reports must comply with the		
PTC	Letters issued 10/24/12.	applicable code requirements.		
Not.Cred.	, , ,	Notice of the status hearing,		
Notice of	On 4/22/14 the court signed an Order	together with a copy of the Status		
Hrg	Confirming Sale of Real Property. The	Report shall be served on all		
Aff.Mail	Order required the proceeds from the	necessary parties.		
Aff.Pub.	sale be placed into a blocked account. This status hearing was set for the filing			
Sp.Ntc.	of the Receipt for Blocked Account.			
Pers.Serv.				
Conf.				
Screen				
Letters				
Duties/Supp				
Objections				
Video				
Receipt				
CI Report				
9202				
Order				
Aff. Posting		Reviewed by: KT		
Status Rpt		Reviewed on: 5/30/14		
UCCJEA		Updates:		
Citation		Recommendation:		
FTB Notice		File 3B - Hine		
		3 R		

3B

Atty

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Rindlisbacher, Curtis D. (for Lori Morgan and Linda Spaider – Petitioners – Daughters)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DC	D: 03/29/2014		LORI MORGAN and LINDA SPAIDER, daughters, are petitioners and request appointment as Administrators without bond.	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order	w/	All heirs waive bond Full IAEA – o.k. Decedent died intestate Residence: Fresno Publication: The Business Journal Estimated value of the Estate: Personal property - \$5,000.00 Real property - \$219,000.00 Total - \$224,000.00 Probate Referee: Steven Diebert	Note: If the petition is granted status hearings will be set as follows: • Tuesday, 11/04/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tuesday, 08/04/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
	Aff. Posting Status Rpt UCCJEA Citation FTB Notice			Reviewed by: LV Reviewed on: 05/30/2014 Updates: Recommendation: Submitted File 5 – Henderson

Atty

Blum, Mark A (for Margaret Reynolds – Petitioner – Spouse)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

	D: 02/06/2014		MARGARET REYNOLDS, named	NEEDS/PROBLEMS/COMMENTS:
	D. 02/06/2014		executor/spouse without bond, is	NEEDS/FROBLEMS/COMMENTS.
			•	1. Need Affidavit of Publication.
			petitioner.	1. Need Allidavii of Fublication.
			Full IAEA - ?	
Со	nt. from		TOTI INCENCE :	
	Aff.Sub.Wit.	s/p	Will dated: 05/08/1988	
✓	Verified		Residence: Kerman	
	Inventory		Publication: Need	
	PTC			
	Not.Cred.		Estimated value of the Estate:	Note: If the petition is granted status
✓	Notice of		Personal property - \$548,399.14	hearings will be set as follows:
	Hrg		Real property - \$331,451.45 Total - \$879,850.59	• Tuesday, 11/04/2014 at
✓	Aff.Mail		Total - \$879,850.59	9:00a.m. in Dept. 303 for the filing
	Aff.Pub.	Х	Probate Referee: Steven Diebert	of the inventory and appraisal
	Sp.Ntc.			<u>and</u>
	Pers.Serv.			• Tuesday, 08/04/2015 at
	Conf.			9:00a.m. in Dept. 303 for the filing
	Screen			of the first account and final
✓	Letters			distribution.
	Duties/Supp			Pursuant to Local Rule 7.5 if the required
	Objections			documents are filed 10 days prior to the
	Video			hearings on the matter the status hearing
	Receipt			will come off calendar and no
	CI Report			appearance will be required.
	9202			
✓	Order			
	Aff. Posting			Reviewed by: LV
	Status Rpt			Reviewed on: 05/30/2014
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 6 – Reynolds

7 LD Broadwater (Det Succ) Atty Herold, Kim M. (for Frances Gome

Case No. 14CEPR00394

Herold, Kim M. (for Frances Gomez and Gwen Kliewer – daughters/Petitioners)

Petition to Determine Succession to Real Property (Prob. C. 13151)

	D. 00/07/14		EDANCES COAFT and CIMEN KITEMED	
	D: 02/27/14		FRANCES GOMEZ and GWEN KLIEWER , daughters, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
<u> </u>			adogmers, are reillioners.	
			40 days since DOD.	
			10 44/3 311100 202.	
Со	nt. from		No other proceedings.	
	Aff.Sub.Wit.		·	
✓	Verified		I & A - \$130,000.00	
✓	Inventory		Decedent died intestate.	
	PTC		Decedent died intestate.	
	Not.Cred.		Petitioners request Court	
✓	Notice of		determination that decedent's 100%	
	Hrg		interest in real property located at	
✓	Aff.Mail	w/	5725 E. Bernadine pass to them in	
	Aff.Pub.		equal shares pursuant to intestate succession.	
	Sp.Ntc.		SUCCESSION.	
	Pers.Serv.			
	Conf.			
	Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: JF
	Status Rpt			Reviewed on: 05/30/14
	UCCJEA			Updates:
	Citation			Recommendation: SUBMITTED
	FTB Notice			File 7 – Broadwater

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Atty Ayala, Aurelia (pro per – guardian/objector)

Atty Ayala, Francisca (pro per – mother/Petitioner)

Petition for Termination of Guardianship

Age: 6		FRANCISCA AYALA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		remioner.	Need Notice of Hearing.
		AURELIA AYALA, maternal	1. Need Nonce of fleding.
		grandmother, was appointed Guardian	2. Need proof of service by mail
		on 09/17/12.	at least 15 days before the
Co	nt. from		hearing of Notice of Hearing
	Aff.Sub.Wit.	Father: GABRIEL LOPEZ	with a copy of the Petition for
✓	Verified		Termination of Guardianship <u>or</u>
	Inventory	Paternal grandparents: NOT LISTED	Consent & Waiver of Notice <u>or</u>
	PTC	Maternal grandfather: NOT LISTED	Declaration of Due Diligence for:
	Not.Cred.	Material grandfamer, NOT ListEb	a. Aurelia Ayala (maternal
	Notice of X	Petitioner states [Petitioner does not	grandmother/guardian)
	Hrg	provide a reason that the guardianship	b. Gabriel Lopez (father)
	Aff.Mail X	should be terminated.]	c. Maternal grandfather
	Aff.Pub.]	d. Paternal grandparents
	Sp.Ntc.	Objection to Termination of Guardianship filed 05/28/14 by	
	Pers.Serv.	Guardian, Aurelia Ayala, states: she	
	Conf.	does not believe it is in the best interest	
	Screen	of Alize that the guardianship be	
	Letters	terminated. She provides Alize a stable	
	Duties/Supp	home and routine. The mother works	
✓	Objections	long hours and does not have the time to provide Alize with the attention she	
	Video	needs.	
	Receipt		
✓	CI Report	Court Investigator Dina Calvillo filed a	
	9202	report on 05/29/14.	
✓	Order		
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 05/30/14
	UCCJEA		Updates:
	Citation		Recommendation:
<u>L</u>	FTB Notice		File 10 – Lopez
			10

Mora, Irma (pro per – paternal aunt by marriage/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 3 months	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
Coult from	IRMA MORA, paternal aunt by marriage, is Petitioner. Father: SANTOS J. VILLA – deceased	Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of
Cont. from Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters	Mother: AMBER ROBINSON – Consent & Waiver of Notice filed 03/28/14 Paternal grandfather: ADAN VILLA - deceased Paternal grandmother: HERMELINDA SANCHEZ – served by mail on 05/19/14 Maternal grandfather: NOT LISTED Maternal grandmother: YOLANDA AVILES – currently incarcerated Petitioner states that the mother is currently in drug treatment and	 Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence for: a. Maternal grandfather (not listed) b. Yolanda Aviles (maternal grandmother) Note: proof of service filed 05/19/14 indicates that Ms. Aviles was served in care of Jim Lamber. Service in care of another is insufficient.
✓ Duties/Supp Objections	consents to the guardianship. Father is deceased.	
Video Receipt ✓ CI Report 9202 ✓ Order	Court Investigator Charlotte Bien filed a report on 05/20/14.	
Aff. Posting Status Rpt UCCJEA Citation	- - -	Reviewed by: JF Reviewed on: 05/30/14 Updates: Recommendation:
FTB Notice		File 11 – Villa

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